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October 24, 2024

**Via ECF:**

The Honorable John P. Cronan, U.S.D.J.  
United States District Court  
Southern District of New York  
500 Pearl St.  
New York, NY 10007-1312

Re: *Zapeta v. Izzys BBQ Inc. et al*  
Case No.: 1:24-cv-06395

Dear Judge Cronan:

We represent the Plaintiff in the above-captioned matter and write pursuant to Rule 3(B) of Your Honor's Individual Rules and Practices in Civil Cases to respectfully request an adjournment of all proceedings, including the deadline to move for default judgment and the upcoming conference, for 45 days.

Pursuant to the Court's Order dated October 15, 2024, Plaintiff is required to move for default judgment by October 30, 2024, and file a reply by November 20, 2024, should Defendants submit an opposition. The initial conference is currently scheduled for December 5, 2024. This is Plaintiff's first request for an adjournment.

On September 11, 2024, Joseph Nussbaum, Esq. contacted Plaintiff's counsel on behalf of Defendants. Since then, Plaintiff has engaged in ongoing discussions with Defendants' representative, and has recently received document production from Defendants which will aid in productive resolution efforts. While both parties are negotiating in good faith, it is unlikely that a resolution will be reached before the October 30, 2024 deadline.

In light of these ongoing settlement negotiations, Plaintiff respectfully requests that the Court stay the proceedings and adjourn all upcoming deadlines for 45 days to allow the parties further time to explore a potential settlement agreement.

We thank the Court for its time and consideration.

Respectfully submitted,

/s/ CK Lee

C.K. Lee, Esq.

The deadlines and hearing set forth in the Court's October 15, 2024 Order are adjourned *sine die*. Plaintiff shall file a status letter in this matter by December 9, 2024 advising the Court whether these deadlines and hearing should be reinstated to the Court's calendar. Counsel for Defendants also must file a notice of appearance on the docket by November 1, 2024. The Clerk of Court is respectfully directed to close Docket Number 25.

SO ORDERED.

Date: October 25, 2024

New York, New York.



JOHN P. CRONAN

United States District Judge